

CITY OF GASTONIA Volunteer Screening Policy

Description

In order to preserve the safety and wellbeing of participants in its youth Recreation and Museum programs, activities and events as well as other youth programs offered by the City of Gastonia (“City”), the City will conduct background checks on all individuals applying to volunteer in all such programs. Background checks will also be performed on all individuals applying to work as sports officials, scorekeepers, and program supervisors.

Volunteers will be required to sign an authorization form which will provide date of birth, Social Security Number, and current address, authorizing the City to order an individual criminal background check. All authorization forms and results of screening must be received prior to the start of volunteer duties.

This policy will include all volunteers and paid individuals who, in the course of their service, have the opportunity to be alone with children during activities scheduled for City sponsored youth programs.

Others with incidental contact with children will not be subject to provisions of this policy at this time, although the City reserves the right to conduct random checks of all volunteers working programs/events involving children. To the extent provided by Chapter 132 of the North Carolina General Statutes, all information received as a result of the screening will be kept confidential and not disclosed to anyone outside the City. All authorization forms, records or reports shall be maintained in a confidential manner, and kept for a fixed period of time as set by the City’s record retention policy.

If any disqualifying information is found that prevents an applicant from being accepted, the City will be responsible for notifying applicant of disqualification in a confidential manner. In the event the applicant feels a mistake has been reported in their criminal background check, it is the applicant’s responsibility to contact the City and resolve any issues. The City and its employees are not responsible for errors or omissions that may be reported on background checks.

Frequency of Background Investigations

Only one background check is necessary per year regardless of the number of different sensitive positions a volunteer may fill during any year. The initial authorization release signed by the volunteer applicant specifically states that the release shall remain in effect until revoked in writing.

Criteria for Exclusion

Disqualifying Factors

A person will be disqualified and prohibited from serving as a volunteer if the person has been found guilty of any of the following crimes or has pending charges as identified below:

(Guilty means that a person was found guilty following a trial, entered a guilty plea or entered a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This recommendation does not apply if criminal charges resulted in acquittal or dismissal.)

DISQUALIFICATION BASED ON OFFENSE:

SEX OFFENSES

All Sex Offenses – Regardless of the amount of time since offense.

Examples include: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.

FELONIES

All Felony Violence – Regardless of the amount of time since offense.

Examples include: murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, child endangerment etc.

All Felony offenses other than **violence** or **sex** within the past 10 years.

Examples include: drug offenses, theft, embezzlement, fraud, etc.

MISDEMEANORS

All misdemeanor violence involving a minor (unless the applicant was themselves a minor) – regardless of the amount of time since the offense. All misdemeanor drug & alcohol offenses involving a minor (unless the applicant was themselves a minor) – regardless of the amount of time since the offense.

All other misdemeanor violence offenses within the past 7 years

Examples include: simple assault, battery, domestic violence, hit and run, etc.

All misdemeanor drug & alcohol offenses within the past 5 years or more than one offense in the past 10 years regardless of whether the offense involved a minor.

Examples include: driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, etc.

Any other felony or misdemeanor within the past 5 years that would be considered a potential danger to vulnerable populations.

Any felony or misdemeanor convictions for which individual accepted through plea bargaining or other legal action a lesser plea conviction than that original charge that involved any of the above listed.

Any felony or misdemeanor conviction or pending charges which involve a crime against a member of the vulnerable population or pending charges of felonies or misdemeanors as listed within this procedure.

PENDING CASES

Any applicant who has been charged with any of the disqualifying offenses will not be allowed to volunteer until disposition of the charge. A serving volunteer who has been charged with any of the disqualifying offenses will have their service suspended until disposition of the charge.

A volunteer must immediately inform the City of any charge(s) that has been filed against the volunteer and which, if convicted, would cause them to be disqualified as a volunteer as stated in this policy. Failure to do so may result in further penalties including permanent disqualification.

The Background Check Process is an ongoing process and is subject to review and changes as determined necessary by the City in administering its Volunteer Program.